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SUBJECT: UZBEKISTAN ICRC STAFFER ON PRISON VISITS

Classified By: Ambassador Richard B. Norland; reasons 1.4(b) and (d).

¶1. (S) Summary. As she prepares to depart Uzbekistan after several months working on ICRC prison visits, an ICRC Delegate (strictly protect) shared observations with the Ambassador regarding pressures which lead law enforcement officials to engage in torture and judicial officials to tolerate it, the dangerous character of some of Uzbekistan's religious prisoners, and the counterproductive nature of public pressure on the Uzbeks to reform. End Summary.

¶2. (S) At a dinner in honor of visiting former Belgian Prime Minister Jean-Luc Dehaene, Ambassador was seated next to Alexandra Khoudokormoff, a Belgian national who is a Delegate with the International Committee of the Red Cross regional delegation in Central Asia, based in Tashkent. Ms. Khoudokormoff is wrapping up her second tour in Uzbekistan. She served here several years ago for over two years, and was asked to come back in March when the ICRC reached agreement with the government of Uzbekistan on resuming prison visits. She is a fluent Russian speaker and an astute, impartial observer. Her comments were made candidly and need to be fully protected in light of her status as an ICRC Delegate.

¶3. (S) Statistics: Ms. Khoudokormoff blamed much of the mishandling, abuse and torture of detainees and prisoners on the ripple effects of a system that has not evolved much from the Soviet era. Police officials and prosecutors are expected to show glowing monthly and quarterly statistics on the numbers of crimes "solved" in their jurisdictions. The figures that emerge are preposterous -- claims of a "97 percent" success rate in solving crimes in some regions, for example, when even police departments in some American cities are lucky to solve more than 50 percent of certain crimes. To achieve these numbers, she said, officials routinely abuse detainees, particularly in the initial phases of an investigation before charges have been filed and before trial, in an effort to extract confessions. Often, known criminals who have admitted to one crime -- a murder, for example -- will be pressured to confess to other similar crimes that have occurred in the area, encouraged by promises that admitting to the additional crimes will only lead to marginal additional prison sentences. To reduce abuse, Uzbekistan needs to get away from its Soviet-era obsession with statistics, she said.

¶4. (S) Judges: Asked why some judges appear to ignore prisoners' pleas that they have been tortured into making false confessions, Ms. Khoudokormoff said that by that point

"it is too late" to reverse what has happened in pre-trial detention. By then, she explained, police officials and prosecutors themselves are too committed to the falsehoods they have signed on to for them to be able to reverse themselves. For judges to challenge them not only is difficult in terms of bureaucracy and paperwork but would imperil the relationships they need with prosecutors to carry out their jobs. Ms. Khoudokormoff stated that Uzbekistan's new "habeas corpus" law is helping, but that further reforms to enhance the authority of judges are badly needed.

¶5. (S) Prisoners: Ms. Khoudokormoff confirmed reports we have received separately that the ICRC prison visit regime which recommenced in March is working according to plan. She lamented only that ICRC did not have enough teams to cover more prisons faster. She said the prison visits did not depress her so much as leave her astounded by the range of "characters" she met there who appreciated the opportunity to tell her their life stories. Commenting on prisoners detained because of their alleged extremist Islamic views, however, Khoudokormoff expressed real concern that several of these individuals represented dangerous threats to normal society. Many of them were uneducated and had clearly been manipulated into embracing extreme views on the formation of a Caliphate through violent revolution. She acknowledged that prison itself might be a radicalizing experience for some of these individuals and approved of cases where prisoners had been released under various forms of monitoring to ensure good behavior. Her strongest recommendation was that, as had happened in Russia, responsibility for the prison system eventually be shifted from the Ministry of Internal Affairs to the Ministry of Justice. (Comment: Some observers believe the MOJ is still far from ready for this.)

¶6. (S) Naming and Shaming: Ms. Khoudokormoff lamented the ICRC's decision four years ago to publicly notify embassies and international organizations of its dissatisfaction with the Uzbek government's handling of prison visits and its decision to suspend visits on the grounds that normal ICRC procedures were not being observed. Going "public" in this fashion had generated a visceral Uzbek reaction stemming from loss of face, and basically led to a four-year hiatus in prison visits which was only broken when agreement was reached, with U.S. assistance, in March of this year. Khoudokormoff said she believed that engagement, dialogue and private disagreement were much better tools if any hope was to emerge for progress on human rights in Uzbekistan.

¶7. (S) Comment: As she prepares to depart Tashkent, Ms. Khoudokormoff clearly evinces the mixture of frustration and impatience which is felt by all of us grappling with human rights issues in Uzbekistan. Most interesting, however, was her adamant rejection of public pressure on the Uzbeks as a way of driving progress. This is consistent with our observations over the past several months. The "mobilization of shame" may have worked as a tactic in some places, but in Uzbekistan what is needed is an international commitment to mobilize reform through engagement, dialogue and behind-the-scenes diplomatic pressure in an effort to bring an entire society that knows it cannot live Soviet-style forever (not just its isolated leader, President Karimov) kicking and screaming into the 21st Century.

NORLAND